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The situation in Afghanistan and its implications for international peace and security

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Report of the Secretary-General

I. Introduction

1. This report is submitted pursuant to paragraph 31 of General Assembly resolution 55/174 A of 19 December 2000, in which the Assembly requested the Secretary-General to report every four months during its fifty-fifth session on the progress of the United Nations Special Mission to Afghanistan (UNSMA). The present report, which covers developments since the issuance of my annual report on 20 November 2000 (A/55/633-S/2000/1106), is also submitted in response to requests by the Security Council for regular information on the main developments in Afghanistan.

II. Recent developments in Afghanistan

A. Visit of the Secretary-General

2. From 10 to 12 March, I visited Pakistan as part of a tour in the South Asian region, which also included visits to Nepal, Bangladesh and India. Various aspects of the situation in Afghanistan were discussed in my talks with President Rafiq Tarar, the Chief Executive, General Pervez Musharraf, and the Foreign Minister, Mr. Abdus Sattar. I also had talks with the Taliban Foreign Minister, Wakil Ahmad Mutawakkil, who came to Islamabad to meet with me. I also travelled to the North-West Frontier Province of Pakistan to meet with Afghan refugees at the Shamshatoo refugee camp near Peshawar to assure them that the United Nations was committed to providing the assistance that they and other Afghan refugees so desperately needed. I was unfortunately unable to visit Jalozai camp, where conditions have been described to me as dire.

3. In my discussions with General Musharraf, I expressed the international community's appreciation to Pakistan for extending hospitality to the millions of Afghan refugees who have been forced to flee their country in the past two decades and to take shelter in Pakistan. We agreed that those Afghans who had recently entered Pakistan would be allowed to remain and that, while Pakistan would facilitate the provision of immediate relief assistance to the nearly 80,000 refugees at the Jalozai camp, the United Nations system, for its part, would redouble its efforts to provide assistance to Afghans inside Afghanistan in order to discourage further outflows.

4. In my meeting with Mr. Mutawakkil, I impressed upon him how important it is that the Taliban respect the terms of the written agreement arrived at on 2 November 2000, whereby the two parties to the

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conflict agreed to pursue a process of dialogue, under my auspices, from which neither would unilaterally withdraw until all items on its agenda were exhausted. I urged the Taliban to reconsider its rejection, following the imposition of sanctions, of the mediating role of the United Nations, stressing that only through the United Nations could a comprehensive political solution be reached. Other topics covered included the humanitarian situation, the Taliban's progress towards eradicating poppy cultivation and the continued presence of Osama bin Laden in Afghanistan.

5. Inevitably, a considerable portion of the discussion with Mr. Mutawakkil dealt with the order issued by the head of the Taliban movement, Mullah Mohammad Omar, following a *fatwa* (edict) by Afghan ulemas, calling for the destruction of all statues and other objects of "un-Islamic worship". I asked that implementation of the order be halted, at least temporarily, until a group of international Islamic scholars could confer with the Afghan ulemas. I also explored various alternatives to remove the statues for safekeeping outside Afghanistan. Mr. Mutawakkil, responding that the *fatwa* was already being implemented, described it as a domestic issue based on purely Islamic principles. Shortly thereafter, I was distressed to learn that the destruction of the two priceless statues of the Buddha in Bamyan had already taken place.

B. Activities of the United Nations Special Mission to Afghanistan

Contacts with the Afghan warring sides

6. My Personal Representative for Afghanistan, and the Head of the United Nations Special Mission to Afghanistan, Francesc Vendrell, has continued to pursue his contacts with the two Afghan warring sides and other Afghans, as well as with the Governments of the region. Since my last report to the Security Council, he has met with Mr. Mutawakkil on six occasions. In late January, he met in Faizabad with Professor Burhanuddin Rabbani, President of the Islamic State of Afghanistan, and with Commander Ahmad Shah Massoud, as well as with Acting Foreign Minister Abdullah in New York on 7 February.

7. In the weeks following the 2 November 2000 agreement, my Personal Representative discussed with the Taliban and the United Front a possible agenda that he hoped could be finalized before his next oral report to the Security Council and to the "six plus two" group in February. At the beginning of December 2000 he was informed by the Taliban that, in view of the imminent adoption by the Security Council of new sanctions against the Taliban, they could no longer accept the United Nations as an impartial broker and that, while they were willing to pursue a dialogue with the United Front, they were not willing to do so under United Nations auspices. In keeping with this approach, the Taliban indicated that it would accept an invitation by the Government of Uzbekistan in late January to a meeting of the two sides, but only if the United Nations were not included. The Uzbek Government declined to proceed on that basis. The United Front, for its part, continues to consider that any dialogue with the Taliban must be held in the presence of my Personal Representative.

8. Following the edict on the destruction of all statues, my Personal Representative travelled to Kabul on 1 March and, in a long conversation with Mr. Mutawakkil, sought to impress upon him the negative consequences that would ensue for the Taliban in the event that the edict was implemented. He also proposed, unsuccessfully, that the issue be referred to a group of international ulemas appointed by the Organization of the Islamic Conference (OIC) or, failing that, that implementation be postponed.

9. In addition to the above issues, the discussions that my Personal Representative held with both of the warring parties concerned the impartiality of the United Nations and the different roles and responsibilities of its constituent organs; the human rights situation in Afghanistan, including, in particular, the events in Yakawlang in early January (see paras. 49-51 below) and the need to bring violators to account; the various proposals by Afghan personalities abroad, in particular the former King, to convene an emergency *loya jirga*, or traditional grand national assembly; international support for the future rehabilitation and reconstruction of the country once a comprehensive peace settlement has been reached; and the need to find a solution to the continued presence of Osama bin Laden in Afghanistan that is acceptable to the Security Council.

Contacts with non-belligerent Afghans

10. My Personal Representative has maintained contact with a variety of non-belligerent Afghan

personalities, including those who favour the convening of a *loya jirga* as a means of bringing about a peaceful and democratic solution to the Afghan conflict. In this connection, my Personal Representative met once again in mid-February, in Rome, with the former King of Afghanistan, Zahir Shah, and members of his family and secretariat. Both he and UNSMA political officers have held discussions on various occasions with individual members of the newly-established executive committee of the Rome process. Mr. Vendrell has also held meetings in London and Geneva with members of the executive committee of the Cyprus process and, in Islamabad, with Pir Sayid Ahmad Gailani, leader of the National Islamic Front of Afghanistan.

Other activities, including contacts with concerned Governments

11. My Personal Representative has continued his contacts with the Governments of the "six plus two" group and other interested States. In that context, he visited Moscow in late November 2000 for talks with First Deputy Foreign Minister Vyacheslav Trubnikov and Deputy Foreign Ministers Alexander Losyukov and Sergey Ordzhonikidze. Also in late November, at the invitation of the Indian Government, Mr. Vendrell met in Delhi with the Minister for External Affairs, Mr. Jaswant Singh, and Foreign Secretary Lalit Man Singh. In early December, he visited Ashgabat on the occasion of the fifth anniversary of the proclamation by the General Assembly of Turkmenistan's permanent neutrality. As well as meeting President Saparmurat Niyazov, Foreign Minister Batyr Atayevich Berdyev and Presidential Adviser Boris Sheikhmuradov, he attended an *iftar* hosted by the Turkmen Government for the delegations sent by the two Afghan sides to the ceremonies, and also participated in a brief meeting with them held the following day by the President of Turkmenistan.

12. In late January, Mr. Vendrell met in Dushanbe with the President of Tajikistan, Mr. Imomali Rakhmonov, and with Foreign Minister Tabak Nazarov. He also met in Islamabad with the Foreign Minister of Uzbekistan, Mr. Abdul Aziz Kamilov. In mid-February, following his oral report on the Secretary-General's good offices to the "six plus two" group on 8 February and to the Security Council on 12 February, he held talks in Washington, D.C. with senior United States State Department officials.

13. He has held meetings in New York and Geneva with Deputy Foreign Minister Zarif of the Islamic Republic of Iran and other senior Iranian representatives, and has maintained ongoing contacts with high officials of the Government of Pakistan, meeting on 4 February with the Chief Executive, in addition to more regular meetings with Foreign Secretary Inam Ul-Haq and Additional Secretary Aziz Khan.

14. All Governments consulted have consistently reiterated their support for my efforts and those of my Personal Representative and have stressed the importance they attach to the United Nations playing a central role in the restoration of peace to Afghanistan.

Status of the United Nations Special Mission to Afghanistan, including the Civil Affairs Unit

15. The Civil Affairs Unit has continued its efforts to promote peace and human rights awareness in Afghanistan by conducting a regular dialogue with the political authorities, engaging various sectors of civil society and observing political, human rights, social and economic trends in the country. The Taliban threatened to close UNSMA offices in Afghanistan at the time of the imposition of sanctions. However, following a meeting between my Personal Representative and Mr. Mutawakkil, the Unit has been able to remain active in five major urban centres, namely Kabul, Jalalabad, Mazar-e-Sharif, Herat, and Kandahar, in addition to Faizabad, which is under the control of the United Front. The recruitment process of additional Civil Affairs Officers is under way, to bring the Unit up to its full complement of 12 Officers. The process of consolidating an UNSMA presence in the field has faced renewed difficulties following the closure of the Taliban office in New York in February and what the Taliban perceives as the uncertainty of its liaison presence at the United Nations.

16. The main interlocutors among the Civil Affairs Officers include political authorities, administrative officials, religious leaders, *shuras* (traditional assemblies of local notables), and representatives of youth and women's groups, the media and the academic community. The Unit has conducted studies of the current human rights situation in Afghanistan, the administrative and judicial systems prevailing in the "Islamic Emirate" and in the Islamic State of Afghanistan and the situation of religious and ethnic minorities.

C. Other developments

Destruction of statues

17. Mullah Omar's order to destroy all statues in Afghanistan provoked an international outcry. The General Assembly, in its resolution 55/243 of 9 March 2001, echoed by the Security Council, expressed its repudiation of the edict and urged the Taliban to review it and stop its implementation. Parallel calls poured in from the United Nations Educational, Scientific and Cultural Organization (UNESCO), OIC, Member States and academic and cultural institutions. The Foreign Minister of Sri Lanka visited Islamabad to seek the intervention of the Government of Pakistan to prevent the destruction. A special envoy sent by the Director-General of UNESCO, the Minister of the Interior of Pakistan and the Minister of State for Foreign Affairs of Qatar (current Chairman of OIC), accompanied by renowned ulemas from Egypt, Jordan and Qatar and a group of Japanese parliamentarians, went to Afghanistan attempting to dissuade the Taliban from their course of action.

18. The Taliban's actions were heavily criticized by the Islamic State of Afghanistan and by the former King, as well as by many prominent and ordinary Afghans. The Society for the Preservation of Afghanistan's Cultural Heritage, which has long fought to preserve the cultural heritage of the people of Afghanistan, announced on 3 April that it was compelled to suspend its work within Afghanistan and that it would close its office in Kabul until further notice.

Bomb incidents

19. In one of a series of incidents in Kabul in recent months, a bomb exploded on 22 November outside the Ministry of Information and Culture in Kabul, smashing windows of the Ministry and surrounding buildings, but causing no reported casualties. On 17 March, a car bomb went off in the western section of Kabul, claiming five lives and apparently injuring Taliban Education Minister Amir Khan Muttaqi and several others. A day previously, a small bomb had exploded outside a *madrassa* near the Consulate General of Pakistan in Jalalabad. In another incident, on 5 March, Taliban commander Anwar Dangar was wounded by unknown gunmen.

Developments in the region and beyond

20. Following the imposition of further sanctions against the Taliban by the Security Council in resolution 1333 (2000), I have appointed, as requested by the Council, a committee of five experts to make recommendations on how the arms embargo and closure of terrorist camps can be monitored. On 31 March, the committee embarked on a four-week visit to countries in the region to consult with government officials.

21. During the reporting period, the former King, Zahir Shah, dispatched delegations to countries of the "six plus two" group, namely the Russian Federation, Uzbekistan, Tajikistan, Turkmenistan and the Islamic Republic of Iran, as well as to Egypt and Saudi Arabia. A delegation also visited Faizabad for discussions with leaders of the Islamic State of Afghanistan.

22. In late March, United Front Commander Ahmad Shah Massoud visited Moscow for consultations with Russian officials. In early April, following the international outcry over the destruction of Buddhist statues, he undertook a high-profile visit to France and Belgium. He met in Paris with the French Foreign Minister, addressed the European Parliament in Strasbourg and visited the European Commission in Brussels, where he met with the High Representative for the Common Foreign and Security Policy of the European Union. Meanwhile, during the second week of April, a 12-member Taliban delegation, which included the Taliban Foreign Minister, visited Doha, at the invitation of the Government of Qatar, the current Chairman of OIC.

23. The situation in Afghanistan has been the subject of high-level contacts among various Governments throughout this reporting period. These include talks between Pakistan's Chief Executive and the Presidents of Kazakhstan and Turkmenistan during the former's visits to those countries, and the visit to the Islamic Republic of Iran by the Prime Minister of India in April. The Russian-Indian working group on Afghanistan, established during President Putin's visit to India last October, at its first meeting in Delhi on 20 November, following on the heels of a meeting of the high-level United States/Russian group on terrorism, accused the Taliban of turning areas under its control into bases for sheltering and training international terrorists.

24. Prior to his visit to Kandahar in March, in the wake of the edict on the destruction of statues, Pakistan's Minister of the Interior paid a visit in early February to Afghanistan, where he met with Mullah Omar and other senior Taliban leaders. Among issues discussed were the repatriation of refugees to Afghanistan, extradition of suspected criminals and the question of Osama bin Laden.

D. Military situation

25. Fighting has been continuous throughout Afghanistan since late December, evidence of the fact that fighting in Afghanistan is no longer seasonal, the two sides now being better equipped and trained for winter warfare. Recent troop movements on both sides and the concentration of units along the main confrontation line and in the central part of Afghanistan suggest that large-scale fighting in Afghanistan can be expected to resume in the near future. There are clear indications that the two sides are gearing themselves up for battle in the spring and summer.

26. The United Front has been engaged in efforts to reorganize its forces into something resembling a regular army. It has conducted a number of meetings with its commanders to persuade them to accept structural changes and is also trying to incorporate commanders loyal to Ismail Khan and General Dostum. General Dostum returned to Afghanistan in April for the first time in two years, meeting Professor Rabbani in Faizabad. Meanwhile, the United Front has been keeping the Taliban militarily occupied through sorties from the various "pockets" it holds inside Taliban territory, as well as along the main line of confrontation, thus complicating the Taliban's reinforcement and supply.

27. From mid-January there has been continuous fighting in the north-eastern Takhar Province, where Taloqan is located, with ground ebbing and flowing from one warring side to the other, neither achieving any major territorial gains. The city of Taloqan itself remains in Taliban hands.

28. As earlier reported, Yakawlang district in Bamyan Province was captured at the end of December by Hizb-e Wahdat forces, which form part of the United Front. The district was recaptured two weeks later by the Taliban and then retaken again by Hizb-e Wahdat in late January. On 15 February, the United Front captured the town of Bamyan, but held it only briefly before it fell again to the Taliban. The Taliban was not successful in moving out from the city, however, and the United Front went on the offensive again at the end of March. By mid-April, the United Front had advanced to 5 kilometres from the town of Bamyan.

29. During the reporting period, there have been exchanges of small arms and artillery fire between the Taliban and the United Front fighters on the islands on the Amu Darya river, near Emam Saheb, which house a large number of displaced families. The United Front has sent reinforcements to the islands and is seeking to persuade the internally displaced persons to remain there.

III. Humanitarian activities and human rights

A. Humanitarian situation

30. Since my last report there has been a further dramatic deterioration in the humanitarian situation inside Afghanistan. The combination of ongoing war and drought on an already impoverished people is now pushing hundreds of thousands of people into poverty and destitution. In the past several months, the number of people displaced from rural areas to cities such as Herat, Mazar, Kabul and Kandahar has grown to 500,000, as they search for food, shelter, security and assistance. A further estimated 200,000 people have sought refuge and protection in neighbouring countries. Of this number 170,000 have crossed into Pakistan, an unknown number have entered the Islamic Republic of Iran and 10,000 remain on the border with Tajikistan. Hundreds of thousands more people are likely to become displaced as conflict spreads and the drought worsens in the next two or three months.

31. In Afghanistan, people become displaced when they have no other choice. Desperation forces entire families to leave their homes, take their chances with bandits and the elements and travel for days in the hope that help may be available to them in the internally displaced person or refugee camps. Yet the internally displaced persons and refugees who reach Herat, Islamic Republic of Iran, or Pakistan are among the more fortunate who have resources to pay for transport. In many parts of the country there are hundreds of

thousands of people left behind in conflict and drought stricken areas, unable to move. While financial and material resources are important, delivery and implementation capacity are a major constraint. Support to increase this capacity, particularly in the community of non-governmental organizations (NGOs) is crucial.

32. The strategy of the United Nations and its partners has been to assist families in their areas of origin to help prevent involuntary displacement. This strategy has worked well where it could be implemented. However, the remarkable and widespread impact of both the drought and conflict has resulted in population movements for which the assistance community is unable to provide. Insufficient financial resources, a limited humanitarian presence and the unwillingness of the authorities to provide assistance has contributed to dismal conditions for the majority of the displaced.

33. In February, I requested my Emergency Relief Coordinator, Mr. Kenzo Oshima, to visit Afghanistan to review the humanitarian situation and to highlight critical funding shortfalls. This followed the tragic deaths of over 150 people in internally displaced person camps in Herat after several days of freezing weather. These deaths were a sharp reminder to the world of the insufficient resources available to support the humanitarian needs of the Afghan people. While the subsequent response of donor countries has helped to stabilize the situation of those displaced living in camps, a more significant response is needed to assist people in their home communities, and to stem the tide of involuntary displacement. Over $250 million is required to address the crisis, but only $85 million has been made available as at the time of writing.

34. The drought will continue to severely affect Afghans, leading to substantially increased vulnerability across all affected areas until August, when the next harvest can be expected. However, the post-harvest situation is not expected to improve markedly as preliminary results from a planting survey conducted by the World Food Programme (WFP) in Afghanistan indicate that there has been a widespread and significant reduction in the planting of all crops. Reduced levels of precipitation and seed availability are typically cited as the rationale for the reduction in planting. Rainfall has been below average over the winter period and in some cases is less than that measured last year. The worst period is likely to be the hungry season of June and July, which corresponds with the period of greatest conflict. Malnutrition-related deaths continue to be reported by our partners across many parts of the country. In Herat, where many internally displaced persons go to find assistance, the influx of people stabilized at around 80 families a day throughout the winter months. New influxes increased to 200 families per day at the end of March and to 225 families per day in the first week of April. On 9 April alone, over 340 families arrived. The total number of internally displaced persons in the camps in Herat is estimated at 120,000 people. The aid community is now overstretched in its attempts to respond to the urgent needs of thousands of communities across the country and is being overwhelmed by the needs of the internally displaced persons. While a very positive response to the crisis in Herat provided some temporary relief in February, more emergency items are needed in the very near future.

35. In the medium term, recovery from the drought will prove difficult given the large displacement of people, the high levels of asset depletion, the lack of seeds and other agricultural inputs, the loss of livestock, the weakened agricultural infrastructure, structural changes in the agricultural sector owing to the failure of orchards and vineyards and what looks like abnormally low precipitation. The continuing armed conflict and the devotion of resources to war by the authorities of all factions remains one of the main impediments to recovery.

36. A preliminary assessment of the implementation of the decree banning all opium poppy cultivation in Afghanistan indicates that the edict is being implemented. Opium poppy cultivation is dramatically reduced in the major poppy growing areas of Helmand, Nangarhar, Oruzgan and Qandahar Provinces. The annual opium poppy survey carried out by the United Nations International Drug Control Programme, is currently under way and the results, which are expected in July, will draw an accurate picture of the extent of poppy cultivation in Afghanistan.

37. While the implementation of the ban on poppy cultivation is welcome, it has brought serious economic and social consequences to the former growing areas, with farmers and their communities bearing the economic burden of the conversion to other types of cultivation. This additional hardship has contributed to displacement of people inside Afghanistan as well as to the influx of new refugees to Pakistan and the Islamic

Republic of Iran. For whatever motive, the Taliban has done what the international community has asked: it has drastically curtailed poppy cultivation. It is therefore incumbent on the international community to respond positively to this progress, or to face an equally rapid increase in production at the end of the year if farmers return to poppy cultivation.

38. During 2000, the Office of the United Nations High Commissioner for Refugees (UNHCR) and its partners facilitated and assisted the voluntary repatriation of 210,170 Afghans: 133,397 from the Islamic Republic of Iran and 76,779 from Pakistan. The harsh winter and extremely precarious food security, combined with the massive displacement inside Afghanistan, has temporarily halted assisted voluntary repatriation.

39. The latest UNHCR monitoring report on the situation of returnees shows the enormous difficulties facing them upon return to their country, now devastated by years of conflict. While no assisted voluntary repatriation took place to areas severely affected by drought or conflict, the survey found that 25 per cent of the returnees did not have any regular source of income and 27 per cent were dependent on the highly unstable wage labour market. UNHCR and its partners have been able to assist 17 per cent of the returnees, 39 per cent of whom found their houses destroyed. The support of UNHCR allowed these returnees to rebuild their homes and provided them with access to potable water. While peace is a precondition for a larger-scale return of Afghans to their country, comprehensive and longer-term assistance programmes are needed to allow more refugees to return in safety and dignity.

40. In the first quarter of 2001, the United Nations has been attempting to improve access to protection and assistance for the large numbers of Afghans who entered the Islamic Republic of Iran and Pakistan, or who were trapped on the border between Afghanistan and Tajikistan. In the biggest influx since the early 1990s, more than 170,000 Afghans have sought assistance in Pakistan, the majority arriving in the last four months. Some 60,000 new arrivals have been transferred to the new Shamshatoo refugee camp, near Peshawar in North-West Frontier Province, where UNHCR/WFP and NGOs provide them with shelter, food, water and sanitation, health care and education. However, more than 110,000 continue to live in appalling conditions in makeshift sites scattered across the Province and in Baluchistan. An estimated 80,000 are camped out in the open in the squalid Jalozai camp. Overcrowded conditions and the site's severely overstretched sanitation facilities, combined with the start of the rains, make the outbreak of epidemics likely.

41. On 9 November 2000, Pakistan, which hosts 1.2 million Afghan refugees, closed its borders and imposed a ban on new arrivals. Citing social, economic and security reasons, Pakistan declared that it was no longer in a position to recognize Afghans entering its territory as prima facie refugees. Permission has been withheld to carry out any verification exercises and the authorities maintain that no additional land can be made available to relieve the intense overcrowding that already exists in the camps. Under the current circumstances, it is increasingly difficult to provide protection assistance to those of most concern to UNHCR. The Government has pointed to the large long-term refugee population in Pakistan and its own problems in dealing with the current drought, and has stated its concern that assistance provided to new refugees is likely to draw even more refugees across the border. The United Nations understands these concerns and has committed itself to raising significant resources to care for refugees and assist their return to Afghanistan where possible. In my discussions with General Musharraf (see paras. 2-3 above), we agreed on a two-pronged approach to address this problem. The United Nations would continue to expand its assistance activities inside Afghanistan in all areas of activity, with emphasis on assistance for people in situ, in order to avoid any further involuntary displacement. Similarly, the Organization would remain committed to providing assistance within Pakistan to ensure the protection for genuine refugees. In return, the Government would support and facilitate the assistance and protection support for refugees, according to internationally accepted principles. In my recent conversations with General Musharraf, I asked for his assistance in implementing the "two-pronged approach" on the ground, which would allow the action described below.

42. For aid to be properly targeted in the refugee camps in Pakistan, screening of refugees must be carried out by United Nations aid agencies to ensure that legitimate beneficiaries receive support. Additionally, other land must be provided to care for the refugees in the Jalozai camp, who are currently

packed in unacceptably dense conditions. Afghans who continue to flee to Pakistan are reluctant to declare themselves for fear of arrest and deportation. UNHCR is concerned that, among those forcibly returned and handed over to the Taliban, there may be people who are in need of protection. It has proposed the formation of joint screening committees, which will review cases of all those facing deportation and allow those who have a well-founded fear of persecution to enjoy asylum in Pakistan. The Permanent Representative of Pakistan to the United Nations has addressed two letters to me on this issue (A/55/896-S/2001/346 and A/55/897- S/2001/347).

43. In the Islamic Republic of Iran, negotiations between UNHCR and the Government on a mechanism to identify Afghans in need of protection continued. With regard to the 10,000 Afghans on the border between Tajikistan and Afghanistan, UNHCR is negotiating with the Tajik authorities to ensure unhindered access, protection at a safe location and the separation of civilians from combatants to allow a continuation of the provision of assistance to the civilians.

B. Human rights

44. The human rights problems faced by the Afghan people continue to be compounded by the war, its accumulated and direct effects, including the way it is prosecuted, by deep-rooted and widespread poverty exacerbated by the drought and by the policies and practices of the authorities. In the period since my last report and as outlined above, the combination of war, winter and attendant displacement has further undermined the ability of Afghans to enjoy fundamental rights, such as the right to life and security of person. Growing numbers of Afghans are obliged to flee their places of origin in the interest of safeguarding their lives or to seek some means of survival. In addition, a high proportion of Afghans who are unable or unwilling to move suffer equally serious human rights problems, including direct threats to their lives as a result of growing pauperization or abusive practices that range from summary execution and arbitrary detention to discrimination and hindered access to assistance from humanitarian agencies.

45. The situation of women and girls in Afghanistan remains unacceptable. The decree of law banning Afghan women from working in aid agencies, except in the health sector, issued by the Taliban in July 2000, continues to be a major obstacle. The law not only represents a gross violation of the rights of Afghan women, but also narrows considerably the ability of the assistance community to reach Afghan women, since only women aid workers can directly reach female beneficiaries.

46. Despite efforts of the United Nations Coordinator and other United Nations senior staff to negotiate the withdrawal of the decree, it remains in effect. Negotiations with the authorities continue and it is hoped that progress on the United Nations humanitarian operational requirements prepared by the United Nations system in Afghanistan will be possible.

47. It is, however, worthwhile noting that the assistance community was successful in negotiating to holding of large celebrations on International Women's Day in Afghanistan during the week of 8 to 14 March 2001. The assistance community, with the authorities, organized a number of celebrations attended by a large number of Afghan women in Herat, Jalalabad, Mazar, Kandahar and Faizabad.

48. As outlined in the discussion of the refugee situation (paras. 30-43 above), it is of major concern that the right to asylum and due process for those Afghans who have crossed international borders is not being respected; thousands of Afghans have been forcibly returned to their homeland from Pakistan in contravention of international law. It is of equal concern that thousands of Afghans stranded on the Panj islands in the Amu Darya river are being blocked entry to Tajikistan and are, essentially, under the control of military forces; this exacerbates their insecurity and hinders the provision of humanitarian support.

49. Numerous reports from a variety of credible sources began to emerge in mid-January, indicating that a large number of civilians had been deliberately killed following the recapture by Taliban troops of Yakawlang district in the central province of Bamyan. Yakawlang, under Taliban control since May 1999, had been captured on 28 December 2000 by Hizb-e Wahdat forces under the command of Karim Khalili, who was forced to retreat again on 7 January 2001 in the face of a Taliban counterattack. On 23 January 2001, Hizb-e Wahdat forces, this time apparently assisted by the local population in the wake of the killings, again took control of Yakawlang. Details of the reported massacre were documented in a Human Rights Watch report

published in February. According to that report, about 170 men were confirmed to have been killed, among whom were a number of aid agency personnel, including a United Nations staff member.

50. On 19 January 2001, I issued a statement expressing my deep concern about those reports, which required prompt investigation, and demanded that the Taliban take immediate steps to control its forces and bring those responsible to justice. The Taliban, meanwhile, has repeatedly denied responsibility for any deliberate massacre of civilians in Yakawlang.

51. My statement was subsequently supported by the United Nations High Commissioner for Human Rights and by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan, Dr. Kamal Hossain, who, after a visit to Pakistan in mid-March, noted in his report to the Commission on Human Rights that there was enough material available to warrant a more thorough investigation into events at Yakawlang, with a view to establishing the circumstances of the killings and identifying those responsible.

52. Given a well-established pattern of repeated and systematic violations that perpetuate the prevailing climate of impunity, concerted action is needed to hold to account all those responsible for war crimes, breaches of international humanitarian law and gross violations of human rights.

53. On 9 January 2001, Mullah Omar declared conversion or propagation of conversion of Muslims to Christianity or Judaism punishable by death. The edict has led to restrictions on the activities of NGOs for fear that their association with the Afghan people may be misinterpreted.

IV. Observations

54. Once again, I am forced to report that the situation in Afghanistan has continued to deteriorate and that the humanitarian crisis has reached alarming proportions. Worst of all, conditions are liable to deteriorate further in the coming months as a result of the likely increase in the fighting and the continuing effects of drought. I once again urge Member States to respond generously to the Consolidated Appeal for Afghanistan. While donor fatigue may appear to be an understandable reaction after so many years of war in Afghanistan, it should not be forgotten that the international community, having failed to remain engaged in Afghanistan following the departure of the forces of the former Union of Soviet Socialist Republics, bears a large share of responsibility for Afghanistan's current plight. If humanitarian assistance is not to continue indefinitely, a new commitment is needed from Member States to find a comprehensive political solution. In the absence of a settlement, no significant voluntary return of refugees and internally displaced persons will occur, particularly in the case of the many skilled Afghans, whose expertise will be essential in rebuilding the country.

55. It is the countries that have intervened most in Afghanistan that are also the most affected by the negative consequences of the Afghan conflict. This is why I continue to harbour the hope that those countries will come to realize that the best means of guaranteeing their legitimate national interests lies in the establishment of a unified and representative government in Afghanistan, accountable to its own people, and in which the various ethnic groups that compose Afghanistan will feel represented.

56. While the sanctions are not responsible for the current humanitarian situation, they have permeated the Afghan political discourse. The Taliban, having portrayed them as economic in nature, has sought to blame them, with mixed success among the local population, for the deteriorating internal situation. The Taliban has also used the sanctions as an argument to suspend its participation in the United Nations-sponsored dialogue process agreed to on 2 November, on the grounds that the adoption of sanctions against only one of the parties to the conflict is an indication of a lack of impartiality on the part of the United Nations. While this negative reaction by the Taliban was not unexpected, it is at odds with its written undertaking. I remain hopeful that the leadership of the Taliban, if it is serious about pursuing a negotiated solution, will come to realize that the capacity of the United Nations to act as an honest broker has not been compromised by the imposition of sanctions. The United Nations has a critical role to play in bringing about an internationally acceptable settlement and in mobilizing the resources required to set Afghanistan on the road to recovery.

57. One unintentional fallout from the sanctions, but a very real one, has been the precarious position of the UNSMA offices and staff working inside Afghanistan. The closure of the Taliban's office in New York, in

particular, has led to Taliban threats to retaliate by closing the UNSMA office in Kabul. My Personal Representative has repeatedly told the Taliban that such a linkage is unacceptable.

58. In the past few months, the Taliban itself has seemed to vacillate between challenging the international community, on the one hand, and a pragmatic attempt to accommodate some of its demands, on the other. The latter approach, more evident prior to the imposition of sanctions, was shown in the Taliban's agreement to a United Nations-mediated process of negotiations and in the implementation of its edict on the eradication of poppy cultivation, which, as I have noted above, deserves a positive international response if the policy is to be sustained. The former approach, exemplified by the implementation of the edict on the destruction of statues, suggests the current domination of the Taliban by more radical elements.

59. I have noted the Taliban contention that the international community cares more about historical relics than about the fate of the Afghan people. However, it is because of my concern for the future of Afghanistan that I must express anew my profound regret at the destruction by the Taliban of the ancient statues and relics in Afghanistan, in particular the two invaluable giant statues of the Buddha in Bamyan. These artifacts are part of the common heritage of mankind. They not only symbolized the multifaceted history of the Afghan nation, but also embodied the values of religious, political and ethnic tolerance — the strongest foundation for a better, more peaceful and more tolerant future for all Afghans.

60. While effective and timely sanctions can prove useful in modifying the behaviour of certain errant regimes, they cannot be an end in themselves or a substitute for a comprehensive policy. In order to restore peace in Afghanistan, the international community must set clear objectives and develop a strategy to achieve them. These objectives should include well defined principles, which should guide the nature and programmes of any government that emerges in Afghanistan, consistent with the right of the Afghan people to determine their own future and the principle of friendly relations among States.

61. The strategy must also include the development of proposals, including incentives, that will encourage an internal dynamic and debate within the warring parties and will move them forward towards the achievement of those objectives. Thus, I very much welcome the readiness of the World Bank, communicated to my Personal Representative in January, to carry out a needs assessment mission of Afghanistan, starting with a household survey, as a first step in the preparation of a plan for the rehabilitation and reconstruction of the country.

62. It is equally important not to overlook the pivotal role that must be played by non-combatant Afghans — who after all constitute the majority of the population — in deciding the destiny of their country, either through the eventual holding of elections or through the convening of a *loya jirga*, such as that proposed by former King Zahir Shah.

63. The outlook for the next few months remains bleak. The two warring sides, with no lack of weapons and war materiel supplied by their external backers, are unmistakably preparing for heavy fighting. As painful as this prospect is, it must be hoped that, after yet another season of fruitless fighting, they and their supporters will finally realize that the resolution of the conflict cannot be found on the battlefield and that there is no alternative to a negotiated political settlement.